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Barbados

Food and Agricultural Import Regulations and Standards

Country Report

2004

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Report Highlights:

This report information on Barbados's regulatory environment as it relates to imports of U.S. food and beverage products. Despite having certain licensing requirements for selected products and extensive labeling requirements for most foodstuffs, U.S. suppliers will find Barbados to be relatively open market for most U.S. products.

Includes PSD Changes: No
Includes Trade Matrix: No
Unscheduled Report
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This report was prepared by the Caribbean Basin Agricultural Trade Office (CBATO) of the Foreign Agricultural Service (FAS)/U.S. Department of Agriculture (USDA) in Miami, Florida for U.S. exporters of domestic food and agricultural products. While every possible care was taken in the preparation of this report, information provided may not be completely accurate either because policies have changed since its preparation, or because clear and consistent information about these policies was not available. It is highly recommended that U.S. exporters verify the full set of import requirements with their foreign customers, who are normally best equipped to research such matters with local authorities, before any goods are shipped. FINAL IMPORT APPROVAL OF ANY PRODUCT IS SUBJECT TO THE IMPORTING COUNTRY'S RULES AND REGULATIONS AS INTERPRETED BY BORDER OFFICIALS AT THE TIME OF PRODUCT ENTRY.

SECTION I. FOOD LAWS

Barbados is fairly receptive to imports of U.S. agricultural products. Neither sanitary product registration, laboratory testing, special certification, or pre-market approval is required to import the vast majority foodstuffs into Barbados. Very detailed labeling requirements for practically all food products and import licensing for some products represent the main hurdles for U.S. suppliers. Enforcement of labeling and other requirements is carried out mostly at the port of entry but routine and random checks at the retail and wholesale levels are also conducted. As in most other countries, enforcement is an uphill battle given limited government resources. However, the government is making increased attempts to enforce its existing legislation.

Imports of food and beverage products into Barbados are governed by a variety of laws. The Miscellaneous Control Act, Chapter. 329 of 1994 and its implementing regulations require licensing for selected agricultural products (see Appendix IV) by the Price Control Division of the Ministry of Commerce, Consumer Affairs & Business Development. The Control of Standards Act of 1983 provides the legal framework for standards regulating most foods. Of these, the Specification for Labeling of Prepackaged Food (Barbados National Standard 5: Part 2 of 1994) is the major mandatory standard. Standards Inspectors of the above mentioned Ministry are the ones responsible for enforcement of applicable food standards and regulations supported by interpretations of the Barbados National Standards Institution (BNSI), also an agency of said Ministry.

Animal and plant diseases as well as pest standards are handled separately. The Animals (Diseases and Importation) Act., Chapter 253, of 1951 and its implementing regulations cover the importation of all animal by-products. The Plant Pest and Disease (Import Control) Act of 1995 and its implementing regulations cover the importation of plant products. Both legislative pieces are enforced by the Ministry of Agriculture's Veterinary Service and Plant Quarantine Unit, respectively.

New regulations governing many of the requirements outlined in this report are currently under review and discussion within the Barbados Government. These new regulations, which may be implemented as early as 2003, are likely to address many of the issues not covered in previous regulations. Some of these issues *may* include sanitary registration of foods, mandatory nutritional labeling, claims made on labels, and others.

Thus, U.S. suppliers should remain tuned to any regulatory changes in Barbados in the medium term.

SECTION II. LABELING REQUIREMENTS

A. General Requirements

Barbados' labeling regulations are quite extensive. A key requirement is that all products be labeled in English. Multilingual labels are acceptable as long as English is one of the languages included on the label. Standard U.S. labels are generally acceptable and stick-on labels may be added by the importer in Barbados to fully comply with any specific requirement not entirely met by the U.S. label.

The following information shall appear on the label of all prepackaged foods in Barbados: name of the food; list of ingredients; net contents and drained weight; name and address of the manufacturer; country of origin; lot identification; date marking and storage instructions; instructions for use; and grade designations, if any. Specific information on each requirement is provided below:

1. Name of the food

The name shall indicate the true nature of the food. Normally the name will be specific and not generic. Where a name or names have been established for a food in a Barbadian Standard, at least one of these names shall be used. In other cases the name prescribed by national legislation shall be used. In the absence of any such name, either a common or usual name that has been approved by the BNSI for use on the product shall be used. A "coined" or "fanciful" name, brand name, or trademark may be used provided it accompanies one of the names provided in a Barbadian Standard.

2. List of Ingredients

A list of ingredients shall be declared on the label, except for: single ingredient foods, alcoholic beverages, and any other products exempted by the BNSI. The list of ingredients shall be headed or preceded by an appropriate title (i.e. Ingredients:...; Contents:...; Prepared from:...; etc.). All ingredients shall be listed in descending order of weight in the finished product. Where an ingredient is itself the product of two or more ingredients, such a compound ingredient may be declared as such in the list of ingredients provided that it is immediately accompanied by a list in brackets of its ingredients in descending order of proportion by weight. Where a compound ingredient, for which a name has been established in a Barbadian standard or in national legislation, constitutes less than 25 percent of the food, the ingredients need not be declared except in the case of food additives which are present in such amounts that their declaration is required by the BNSI. Water added to a food shall be declared in a list of ingredients if such a declaration would result in a better understanding of the product's composition by the consumer.

The exception to this is when water forms a part of an ingredient such as brine, syrup or broth used in a compound food. A specific name shall be used for ingredients in the list of ingredients as outlined above for the name of the food. The only exception on the class name are listed below.

Type of Ingredient	Class name
All spices and spice extracts	"Spice", "Mixed spices", as appropriate
All herbs or parts of herbs	"Herbs", "Mixed herbs", as appropriate
All types of accepted gum preparations used in the manufacture of gum base for chewing gum	"Gum base"
All types of sucrose	"Sugar"
Anhydrous dextrose and dextrose monohydrate	"Dextrose" or "Glucose"
All types of caseinates	"Caseinates"
Pressed, expelled or refined cocoa butter	"Cocoa butter"
All crystallized fruit not exceeding 10 percent of the weight of the food	"Crystallized fruit"

3. Net Contents and Drained Weight

The net content shall be declared in the metric system as follows:

- a) for liquid foods by volume;
- b) for solid food by weight, except when such foods are usually sold by number, in which case a declaration by count may be given;
- c) for semi-solid or viscous foods, either by weight or volume.

In addition to the declaration of net contents, a food packed in a liquid medium shall carry a declaration of the drained weight of the food. For the purposes of these requirements, liquid medium means water, aqueous solutions of sugar and salt, fruit and vegetable juices in canned fruits and vegetables only, or vinegar, either singly or in combination.

Where the contents of a package of food are expressed in terms of weight, volume or number, any variation below the quantity declared shall be in accordance with the Weights and Measures Regulations of 1985.

4. Name and Address

The name and address of the manufacturer, packer, distributor, importer, exporter or vendor of the food shall be declared.

5. Country of Origin

The country of origin of the food shall be declared. When a food undergoes processing in a second country which changes its nature, the country in which the processing is performed shall be the country of origin for the purposes of labeling. It is important to note that many U.S. products simply state the manufacturer's or packer's city and state only. As is the case in many other countries, Barbados authorities require the country of origin to be explicitly stated as part of the address. Therefore, either "USA" must be added to the address or the label must contain statements such as "Product of USA" or "Made in USA" in order to clearly identify the product's origin. In cases where non-U.S. products are packed and shipped by U.S. companies, the true country of origin should be specified so that the label is not considered misleading.

6. Lot Identification

Each container shall be embossed or otherwise permanently marked in code or in clear to identify the manufacturing plant and lot.

7. Date Marking and Storage Instructions

If not otherwise determined in an individual Barbadian standard, the "date of minimum durability" shall be declared. This shall consist of at least the day and month for products with a minimum durability of not more than three months, or the month and year for products with a minimum durability of more than three months. If the month is December, it is sufficient to indicate the year. The day, month and year shall be declared in uncoded numerical sequence except that the month may be indicated by letters where such use will not confuse the consumer. The date shall be preceded by appropriate language approved by the BNSI. This language shall be accompanied by either the date itself or a reference to where the date is given.

In a few instances the date of minimum durability requirement does not apply. This is the case for:

- a) fresh fruits and vegetables, including potatoes which have not been peeled, cut or similarly treated;
- b) wines, liqueur wines, sparkling wines, aromatized wines, fruit wines, sparkling fruit wines and stout;
- c) beverages containing 10% or more by volume of alcohol;
- d) bakers' or pastry cook' wares which given the nature of their content, are normally consumed within 24 hours of their manufacture;
- e) vinegar;
- f) food grade salt;
- g) solid sugars
- h) confectionery products consisting of flavored and/or colored sugars;
- i) chewing gum;
- j) spices;

- k) deep frozen food (products maintained at -18 degrees centigrade or less throughout distribution, storage and up to final sale);
- l) other products exempted by the BNSI.

Any special storage instructions shall also be declared on the label if the validity of the date of minimum durability depends on any special conditions. *Open dating statements such as "best if used by" are acceptable.*

8. Instructions for Use

Instructions for use, including reconstitution, where applicable, shall be included on the label, as necessary, to ensure correct utilization of the food.

9. Grade Designations

Grade designations, where used, shall be readily understandable and not be misleading or deceptive in any way.

B. Requirements Specific to Nutritional Labeling

Nutritional labeling, including Recommended Daily Intake (RDI) information, is voluntary in Barbados and thus the standard U.S. nutritional fact panel is fully acceptable. Current standards do not really address the issue of any claims (i.e. nutrient content claims, implied claims, etc.) made on products, so the vast majority of claims as well as absolute descriptors (i.e. "high-fiber" or "low fat") and relative descriptors (i.e. "*reduced* sugar" or "*light* in sodium") are all acceptable. The one exception to this are health claims, which are not allowed for food products. Although nutritional labeling is not mandatory, as a general rule of thumb if a claim is made on a food product, inspectors will look for it to be reflected in a nutritional fact panel.

C. Presentation Requirements

Current labeling standards make no distinction in terms of retail products, institutional products, or samples. The general line of thinking is that the products should be labeled according to the end consumer of the product. For instance, products intended for retail sale are expected to be labeled according to the applicable standard for prepackaged foods as outlined earlier. Products intended for institutional sale which may or may not be individually labeled but contain the basic labeling information on the shipping box are acceptable.

The following presentation requirements apply to labels of all prepackaged foods:

1. Labels in prepackaged foods shall be applied in such a manner that they will not become separated from the container.
2. Statements required to appear on the label shall be clear, prominent, indelible and readily legible by the consumer under normal conditions of purchase and use.

3. The information appearing on the label shall be in letters and/or numbers of not less than 1.6 mm in height except in cases where the Barbados National Standards Institution permits or requires other type sizes.
4. Where the container is covered by a wrapper, the wrapper shall carry the necessary information or the label on the container shall be readily legible through the outer wrapper or not be obscured by it.
5. The name and net contents of the food shall appear on the main panel of the label normally intended to be presented to the consumer at the time of sale.
6. Any information or pictorial device may be displayed on the label provided it does not conflict with mandatory requirements or mislead/deceive the consumer in any way.
7. All labels must be in the English language.
8. All numbers relating to net contents and drained weights shall be in Arabic numerals.

D. Other Labeling Requirements

Labels and advertisements of artificial, imitation, substitute, or synthetic foods should state the nature of the product accordingly. Such declaration should be an integral part of the name of the food and be in identical type and be identically displayed as the name itself.

In the case of foods treated with ionizing radiation/energy, foods which contain an irradiated ingredient, or single ingredient products prepared from a material which has been irradiated, an indication of the irradiation treatment and the overall dose of radiation absorbed by the food/ingredient shall be specified on the main panel near the name of the food.

SECTION III. PACKAGING AND CONTAINER REGULATIONS

Special packaging for food products is an issue which is not really addressed in current Barbados legislation. Internationally accepted packaging and container materials, including PVC, are generally accepted and used throughout Barbados. Moreover, there are no recycling or municipal waste laws specifically affecting food product packaging.

SECTION IV. FOOD ADDITIVE REGULATIONS

Barbados follows the General Standards of Food Additives of Codex, a positive list of additives permitted for use in foodstuffs. Any additive used in a product must be explicitly stated on the label.

According to BNSI standards, the following additive class titles *shall* be used together with the BNSI specific name and/or numerical identification of the additive:

- A. Anti-caking agent(s)
- B. Antioxidant(s)
- C. Natural Color

D. Artificial Color
E. Emulsifier(s)
F. Flavor Enhancer(s)
G. Glazing Agent(s)
H. Preservative(s)
I. Stabilizer(s)
J. Thickener(s)/Gelling agent(s)
K. Anti-foaming agent(s)
L. Flour Treatment Agent(s)
M. Artificial Sweetener(s)
N. Acidity Regulators(s)
O. Propellant(s)
P. Raising agent(s)/Baking Powder
Q. Emulsifying Salt(s)

In addition, the following additive class titles *may* be used for food products: Flavor(s) & flavoring(s); modified starch(es). The term "flavors" shall be qualified by "natural," "nature identical," "artificial," or a combination of these words as appropriate.

A food additive carried over into a food as a result of the use of raw materials or other ingredients in which the additive was used, shall be included in the list of ingredients if the BNSI requires that such information be stated. Processing aids are generally exempted from declaration in the list of ingredients.

For alcoholic beverages, the percentage by volume of alcohol present shall be shown on the main panel followed by the words "alcohol by volume" or the abbreviation "alc/vol." The percentage of alcohol shall be determined by a method approved by the BNSI.

SECTION V. PESTICIDE AND OTHER CONTAMINANTS

A multi-agency Pesticide Control Board, composed of representatives from the Ministries of Agriculture, Health and Environment, is the entity responsible for registering and monitoring pesticide use in Barbados. The Board accepts and recognizes Codex maximum residue levels for pesticides and to a large extent also follows the guidance set forth by the EPA in the United States. The Ministry of Agriculture veterinary laboratory and other government analytical laboratories conduct most of the testing. However, testing is as limited as the resources allocated for testing.

SECTION VI. OTHER REGULATIONS AND REQUIREMENTS

Neither sanitary product registration, laboratory testing, special certification, or pre-market approval is required to import foodstuffs into Barbados. As mentioned earlier, Standards Inspectors monitor for labeling compliance mostly at the retail and wholesale levels. Given the rather detailed labeling requirements described earlier, it is recommended that U.S. suppliers check with the BNSI, either directly or through their customers, for labeling compliance of any new-to-market items prior to importation. This voluntary procedure will preclude costly difficulties associated with non-conforming labels. Shipping of samples via international couriers is generally allowed.

SECTION VII. OTHER SPECIFIC STANDARDS

Imports of virtually all food and beverage products are covered by the legislation and regulations mentioned in Section I. Certain specific standards may apply to certain products. Therefore, U.S. Suppliers are best advised to verify with BNSI as to their product's import compliance.

SECTION VIII. COPYRIGHT AND/OR TRADEMARK LAWS

All trade names, logos, slogans, brands and other marks registered in Barbados are protected under the Trade Marks Act, Cap. 319 (1981) and the Trade Marks Amendment Act #16 (2001). The Corporate Affairs and Intellectual Property Office (CAIPO) of the Ministry of Economic Development is the agency responsible for registration and maintenance of public records relating to trademarks. Trademark registration is voluntary in Barbados, but highly recommended in order to secure adequate legal recourse in the event of trademark infringement. Prior to applying for any trademark registration in Barbados, it is recommended that the CAIPO Register be searched to determine if someone else has already applied for or registered a trademark in Barbados. These searches are conducted free of charge.

Applications for registration can be filed with the Registrar of the CAIPO. In Barbados anyone may register trademarks but most individuals and corporations, whether Barbadian or foreign, do so through attorneys specializing in this sort of work. A list of attorneys can be obtained from the Barbados Bar Association listed in Attachment II.

The cost of registration is B\$75 (US\$38.00) per class of goods being applied for plus B\$25 (US\$13) if an attorney or agent is used to file the application. Barbados uses the international trademark classification system set forth in the Nice Agreement concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks (1957), as amended. If and when approved, the trademark is published in the Gazette, the government's official diary, at a cost ranging from B\$150 to B\$300 (US\$75 to US\$150). Upon publication, third parties have 90 days to file any opposition to the trademark registration. An uncontested trademark registration will normally take about 7 to 9 months to be completed from the time the application is originally filed. Initial registration of a trademark is valid for ten years and registration is renewable indefinitely for subsequent periods of 10 years each. The renewal fee is B\$10 (US\$5).

For further information on the trademark registration process, U.S. exporters may contact the CAIPO. See Appendix I for contact information.

SECTION IX. IMPORT PROCEDURES

The following documentation is normally required for food imports:

1. Commercial Invoice
2. Bill of Lading or Air Waybill
3. Packing List
4. Insurance Certificate

5. Import License (if applicable)

As mentioned earlier, certain products may require licensing by the Price Control Division of the Ministry of Commerce, Consumer Affairs & Business Development. See Appendix IV for a listing of such products. U.S. exporters are urged to have the importing party ascertain whether any license may be required prior to shipping any products.

The import clearance process for foods is fairly straightforward and non-restrictive. Customs clearance usually takes about 3 to 5 days for most food products. However, delays associated with scheduling appointments for Customs inspections are not uncommon and payment of overtime fees are sometimes required in order to expedite the process. Use of a seasoned customs broker/agent is key to ensuring an adequate flow through the system. A list of customs/brokers agents can be obtained from the Barbados Customs Brokers Association listed in Appendix II. Appeals for disputed or rejected product should be made to the Comptroller of Customs, Barbados Customs & Excise Department (see Appendix I for contact information).

APPENDIX I. GOVERNMENT REGULATORY AGENCY CONTACTS

Barbados National Standards Institution
"Flodden" Culloden Road
St. Michael, Barbados W.I.
Tel: 1 (246) 426-3870
Fax: 1 (246) 436-1495
E-mail: office@bnsi.com.bb

Veterinary Services
Ministry of Agriculture & Rural Development
The Pine
St. Michael, Barbados W.I.
Tel: 1 (246) 427-5073
Fax: 1 (246) 429-2143

Plant Quarantine Unit
Ministry of Agriculture & Rural Development
Crumpton Street
Bridgetown, Barbados W.I.
Tel: 1 (246) 426-1222
Fax: 1 (246) 426-6927
E-mail: Plantquarantinebds@caribsurf.com

Price Control Division
Ministry of Commerce, Consumer Affairs & Business Development
Pelican Industrial Estate
Fontabelle, Barbados W.I.
Tel: 1 (246) 437-3552 / 3 / 8, 437-3570 / 1 / 2
Fax: 1 (246) 228-3821

Barbados Customs & Excise Department
Barbados Port Authority Building
University Row
Bridgetown, Barbados W.I.
Tel: 1 (246) 430-2300
Fax: 1 (246) 427-7358
E-mail: asycuda@customs.gov.bb

Corporate Affairs & Intellectual Property Office (CAIPO)
"Keith Bourne Complex"
Belmont Road
St. Michael, Barbados W.I.
Tel: 1 (246) 436-4818 / 9
Fax: 1 (246) 437-3072
E-mail: caipo@caribsurf.com
Website: <http://www.caipo.gov.bb>

APPENDIX II. OTHER IMPORT SPECIALIST CONTACTS

Caribbean Basin Agricultural Trade Office
Foreign Agricultural Service
U.S. Department of Agriculture
909 SE 1st. Ave Suite 720
Miami, FL 33131
Tel: (305) 536-5300
Fax: (305) 536-7577
E-mail: cbato@cbato.net
website: <http://www.cbato.fas.usda.gov>

Paul Hoffman, Director
E-mail: paul@cbato.net

Omar González, Deputy Director
E-mail: omarg@cbato.net

Graciela Juelle, Admin. Assistant
E-mail: grace@cbato.net

B. For a listing of Law Firms Offering Trademark Registration Services, contact:

Barbados Bar Association
Inga Lodge, Pinfold Street
Bridgetown, Barbados
Tel: 1 (246) 437-7316
Fax: 1 (246) 228-1739

C. For a listing of Barbadian Customs Brokers/Agents, contact:

Barbados Customs Brokers Association
C/O JFJ Caribbean Customs Services
Barbarees Hill
St. Michael, Barbados W.I.
Tel: 1 (246) 430-0995
Fax: 1 (246) 430-0996
E-mail: jfjcustoms@sunbeach.net

Website: <http://www.barbadoscustomsbrokers.org>

APPENDIX III. USEFUL WEBSITES/LINKS

A. U.S. Government websites/links.

1. <http://www.cbato.fas.usda.gov>

Caribbean Basin Agricultural Trade Office website. This site offers several programs and services for U.S. suppliers seeking to export food products to the Caribbean. It also provides a link to USDA's Foreign Agricultural Service (FAS) website (<http://www.fas.usda.gov>) providing additional information on the subject.

2. <http://state.gov/r/pa/bgn/2334.htm>

U.S. Department of State website. This site offers general background information on Barbados.

3. <http://www.odci.gov/cia/publications/factbook>

Central Intelligence Agency's World Factbook website. The World Factbook provides general information on Barbados and other countries around the globe.

B. Non-U.S. Government websites/links.

1. <http://www.caipo.gov.bb>

Barbados Corporate Affairs and Intellectual Property Office website. This site provides general information on trademark registration, including answers to frequently asked questions.

2. <http://www.barbadoscustomsbrokers.org>

Barbados Customs Brokers Association website. This website lists all of its members, including complete contact information for each.